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Docket No. GJE-71
Serial No. 09/868,195Remarks

Claims 45, 47, and 50-53 were pending in the subject application. By this Amendment, claims 50-53 have been cancelled and new claims 54-57 have been added. The undersigned avers that no new matter is introduced by this amendment. Entry and consideration of the amendments presented herein is respectfully requested. It should be understood that the amendments presented herein have been made solely to expedite prosecution of the subject application to completion and should not be construed as an indication of the applicants' agreement with or acquiescence in the Examiner's position. Accordingly, claims 45, 47, and 54-57 are currently before the Examiner for consideration. Favorable consideration of the pending claims is respectfully requested.

The applicants and the applicants' representative wish to thank Examiner Duffy for the courtesy of the telephonic interview conducted with the undersigned on July 3, 2006, regarding the rejection under 35 U.S.C. §112, first paragraph. The remarks and amendments set forth herein are consistent with the substance of the interview and are believed to address the outstanding issues as discussed during the interview. The Office Action indicates that claims 45 and 47 are allowable. During the interview, Examiner Duffy indicated that claims 54-57 would be entered and considered without the need for a Request for Continued Examination (RCE) under 37 C.F.R. §1.114. Further, during the interview, the Examiner indicated that claims 54-57, which depend from claims 45 or 47, would be allowable.

The applicants gratefully acknowledge the Examiner's indication that the rejections under 35 U.S.C. §112, first paragraph, for non-enablement, and §112, second paragraph, for indefiniteness, have been withdrawn.

Claims 50-53 have been rejected under 35 U.S.C. §112, first paragraph, as lacking written description. The applicants respectfully submit that the specification provides an adequate written description of the claimed subject matter. However, by this Amendment, the applicants have cancelled claims 50-53, rendering this rejection moot. The applicants have added claims 54-57. As discussed during the interview, claims 54 and 56 recite that the subject is female, and claims 55 and 57 recite that the subject is a pregnant female. Support for claims 54-57 can be found at page 3, lines 3-5, of the subject specification. The specification conveys to those skilled in the art that the

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Serial No. 09/868,195

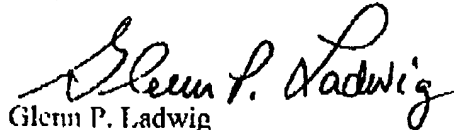
applicants were in possession of the claimed subject matter at the time the application was filed. Accordingly, in view of the foregoing remarks, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, first paragraph, is respectfully requested.

In view of the foregoing remarks and amendments to the claims, the applicants believe that the currently pending claims are in condition for allowance, and such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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Attachment: Petition and Fee for Extension of Time